

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN HARPER

v.

JEFFERY ALBO , et al.

:
:
:
:
:

CIVIL ACTION
NO. 10-7555

ORDER

AND NOW, this 24th day of August, 2011, after consideration of defendants' motions to dismiss and plaintiff's response, it is ORDERED that:

- 1) The motion to dismiss filed by defendants Albo and Luquis with respect to the claims against them in their official capacities is GRANTED. Such claims are DISMISSED with prejudice.
- 2) The motion to dismiss filed by defendant Luquis with respect to the claims against him in his individual capacity is GRANTED. Such claims are DISMISSED.

However, plaintiff is GRANTED leave to amend within 14 days of the date of this Order.
- 3) In all other respects, the motions to dismiss are DENIED.

It is FURTHER ORDERED that the Clerk of Court shall AMEND the docket caption to reflect the proper spellings of the names of defendants Luquis and Albo.

/s/ THOMAS N. O'NEILL, JR.
THOMAS N. O'NEILL, JR., J.